

## 附 錄 Appendix 1

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Members of the Equal Opportunities Commission

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of the Equal Opportunities Commission

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白仲安先生  
Mr. John Robertson BUDGE  
M.B.E., J.P.  
委員 Member



洪雪蓮女士  
Ms. HUNG Suet-lin  
委員 Member



胡紅玉女士  
Ms. WU Hung-yuk, Anna  
S.B.S., J.P.  
主席 Chairperson



陳少瓊女士  
Ms. CHAN Siu-king, Cammy  
委員 Member



高寶齡女士  
Ms. KO Po-ling  
委員 Member



朱佩瑩  
Ms. CHU Pui-ying, Bebe  
J.P.  
委員 Member



郭鍵勳博士  
Dr. KWOK Kin-fun, Joseph  
J.P.  
委員 Member



馮漢源博士  
Dr. Stevenson FUNG  
B.B.S.  
委員 Member



林貝聿嘉女士  
Mrs. LAM Pei Yu-dja, Peggy  
S.B.S., O.B.E., J.P.  
委員 Member

## Members of the Equal Opportunities Commission



李文彬先生  
Mr. LEE Man-ban  
M.B.E., J.P.  
委員 Member



孫大倫博士  
Dr. SUN Tai-lun, Dennis  
委員 Member



李業廣先生  
The Hon. LEE Yeh-kwong, Charles  
G.B.S., J.P.  
委員 Member



鄺維庸醫生  
Dr. WU Wai-yung, Raymond  
O.B.E., J.P.  
委員 Member



梁君彥先生  
Mr. LEUNG Kwan-yuen, Andrew  
M.B.E., J.P.  
委員 Member



楊港興先生  
Mr. YEUNG Kong-hing, Peter  
J.P.  
委員 Member



李鳳英女士  
Ms. LI Fung-ying  
M.B.E.  
委員 Member



余秀珠女士  
Ms. YU Sau-chu, Jessie  
委員 Member

平等機會委員會專責小組成員及職權範圍（截至二零零零年三月三十一日）

Membership & Terms of Reference of the Committees of the Equal Opportunities Commission (as at 31.3. 2000)

#### 行政及財務專責小組 Administration and Finance Committee

##### 成員 Membership

1. 李業廣先生 Mr. LEE Yeh-kwong, Charles（召集人 Convenor）
2. 李文彬先生 Mr. LEE Man-ban
3. 孫太倫博士 Dr. SUN Tai-lun, Dennis
4. 楊港興先生 Mr. YEUNG Kong-hing, Peter

##### 職權範圍

1. 審核委員會的年度開支預算初稿。
2. 考慮和批准委員會接受的捐款。
3. 審核委員會的帳目報表初稿及核數師報告書。
4. 審核委員會活動的年度報告初稿。
5. 審核行政安排備忘錄及其後的任何建議修訂。
6. 就委員會有關工作的事項設立招標小組，以及通過招標小組作出的建議。
7. 就聘請總薪級表第 45 點或以上的僱員設立招聘小組，以及通過招聘小組作出的建議。
8. 就續聘或終止聘請總薪級表第 45 點或以上的僱員的事宜給予意見。
9. 通過行政安排備忘錄內的每季工作進度回顧報告。
10. 就委員會委任核數師提出建議。
11. 定期檢討委員會的僱員及行政政策。
12. 就有關租賃、續租或購買委員會辦公室的建議給予意見及作出批准。

##### Terms of Reference

1. To review the draft Annual Estimates of Expenditure of the Commission.
2. To consider and approve donations to the Commission.
3. To review the draft statements of accounts of the Commission and the auditor's reports.
4. To review the draft annual report on the activities of the Commission.
5. To review the Memorandum of Administrative Arrangements and any proposed amendments thereof.
6. To set up tender boards in relation to matters connected with the work of the Commission and to approve such recommendations as are made by these boards.
7. To set up recruitment boards in relation to staff employed at MPS Point 45 and above and to approve such recommendations as are made by these boards.
8. To advise on matters related to further employment or termination of service in relation to staff employed at MPS point 45 and above.
9. To approve reports for quarterly reviews under the Memorandum of Administrative Arrangements.
10. To make recommendations to the Commission in respect of the appointment of an auditor.
11. To keep the staffing and administrative policies of the Commission under review.
12. To advise and to approve recommendations in relation to the leasing, renewal or acquisition of the Commission's office accommodation.

## Members & Terms of Reference of the EOC Committees

### 社會參與及宣傳專責小組 Community Participation and Publicity Committee

#### 成員 Membership

1. 林貝聿嘉女士 Mrs. LAM Pei Yu-dja, Peggy (召集人 Convenor)
2. 郭鍵勳博士 Dr. KWOK Kin-fun, Joseph
3. 洪雪蓮女士 Ms. HUNG Suet-lin
4. 李鳳英女士 Ms. LI Fung-ying
5. 余秀珠女士 Ms. YU Sau-chu, Jessie
6. 陳少瓊女士 Ms. CHAN Siu-king, Cammy
7. 高寶齡女士 Ms. KO Po-ling
8. 陳彩英女士 Ms. CHAN Choi-ying, Virginia (增選委員 Co-opted Member)
9. 李靜雲女士 Ms. LEE Ching-wan, Betty (增選委員 Co-opted Member)
10. 王秀容女士 Ms. WONG Sau-yung, Linda (增選委員 Co-opted Member)

#### 職權範圍

1. 就推動平等機會和消除歧視的措施給予意見，以推動社會各界投入活動。
2. 就與政府及非政府組織（包括僱主機構及關注團體）的聯絡工作給予意見。
3. 就與機構建立夥伴關係並共同推動平等機會的措施給予意見。
4. 就加強委員會的宣傳工作及與傳媒的關係的措施給予意見。
5. 審閱委員會就上述 (1)、(2)、(3) 和 (4) 項所採取的行動的報告。
6. 在民政事務局批准的預算範圍之內，考慮和批准各界社團舉辦宣傳及推廣活動的資助申請。
7. 監察公眾對委員會工作的反應，及向委員會建議前瞻的路向。

#### Terms of Reference

1. To advise on measures to foster community participation in promoting equal opportunities and eliminating discrimination.
2. To advise on measures for liaison with government bodies and non-government organizations including employment establishments and concern groups.
3. To advise on measures for developing corporate partnership in promoting equal opportunities policy.
4. To advise on measures to strengthen publicity and media relations of the Commission.
5. To receive reports on actions taken by the EOC office in pursuance of (1), (2), (3) and (4) above.
6. To consider and approve funding applications in connection with promotion and publicity projects to be undertaken by community organizations within the budgetary confines as approved by the Home Affairs Bureau from time to time.
7. To monitor community response to the Commission's work and make recommendations to the Commission on the way forward.

#### 公眾教育及研究專責小組 Public Education and Research Committee

##### 成員 Membership

- |  |  |
|--|--|
| 1. 鄺維庸醫生 Dr. WU Wai-yung, Raymond (召集人 Convenor) | 6. 余秀珠女士 Ms. YU Sau-chu, Jessie                            |
| 2. 馮漢源博士 Dr. Stevenson FUNG                      | 7. 陳少瓊女士 Ms. CHAN Siu-king, Cammy                          |
| 3. 洪雪蓮女士 Ms. HUNG Suet-lin                       | 8. 莊陳有先生 Mr. CHONG Chan-yau (增選委員 Co-opted Member)         |
| 4. 高寶齡女士 Ms. KO Po-ling                          | 9. 吳華孔女士 Dr. NG wah-hung, Catherine (增選委員 Co-opted Member) |
| 5. 郭鍵勳博士 Dr. KWOK Kin-fun, Joseph                |  |

##### 職權範圍

1. 為委員會對關注的事項進行公眾教育時所採取的措施給予意見。
2. 在委員會已確立的預算範圍之內，審議和通過製作委員會的教材資料套。
3. 在委員會已確立的預算範圍之內，審議和通過委員會的研究計劃。
4. 審閱委員會辦事處有關公眾教育和研究計劃的委託事宜的工作報告。
5. 審閱委員會負責或委託進行的公眾教育和研究計劃的工作進展報告。

##### Terms of Reference

1. To advise on measures to be taken in conducting public education on issues of concern to the Commission.
2. To consider and approve training modules of the Commission within the budgetary confines as determined by the Commission from time to time.
3. To consider and approve research projects of the Commission within the budgetary confines as determined by the Commission from time to time.
4. To receive reports from the EOC office on the commissioning of projects in public education and research.
5. To receive progress reports on public education and research undertaken or commissioned by the Commission.

#### 法律及投訴專責小組 Legal and Complaints Committee

##### 成員 Membership

- |   |                                      |
|---|--------------------------------------|
| 1. 胡紅玉女士 Ms. WU Hung-yuk, Anna (召集人 Convenor)         | 6. 梁君彥先生 Mr. LEUNG Kwan-yuen, Andrew |
| 2. 朱佩瑩女士 Ms. CHU Pui-ying, Bebe (召集人 Deputy Convenor) | 7. 李鳳英女士 Ms. LI Fung-ying            |
| 3. 白仲安先生 Mr. John Robertson BUDGE                     | 8. 楊港興先生 Mr. YEUNG Kong-hing, Peter  |
| 4. 洪雪蓮女士 Ms. HUNG Suet-lin                            | 9. 陳少瓊女士 Ms. CHAN Siu-king, Cammy    |
| 5. 李文彬先生 Mr. LEE Man-ban                              |                                      |

##### 職權範圍

1. 對須由平等機會委員會根據《性別歧視條例》第 88 條、《殘疾歧視條例》第 85 條及《家庭崗位歧視條例》第 66 條訂立的規則作出建議。
2. 審閱有關調解員給予根據《性別歧視條例》第 84 條、《殘疾歧視條例》第 80 條及《家庭崗位歧視條例》第 62 條而向平等機會委員會提出書面申訴的人以調解方式提供協助的報告，並知會平等機會委員會。
3. 審閱有關根據《性別歧視條例》第 84(4)條、《殘疾歧視條例》第 84(4)條及《家庭崗位歧視條例》第 62(4)條由主席作出對某項申訴不進行調查或終止調查的決定的報告，並知會平等機會委員會。
4. 審閱調解員有關根據《性別歧視條例》第 84 條、《殘疾歧視條例》第 80 條及《家庭崗位歧視條例》第 62 條提出的，但不能經調解達致和解的申訴個案的報告。

### Members & Terms of Reference of the EOC Committees

5. 考慮根據《性別歧視條例》第 85 條、《殘疾歧視條例》第 81 條及《家庭崗位歧視條例》第 63 條要求調解以外的協助的申請；並在認為適合時，給予該等協助。
6. 建議平等機會委員會有關進行正式調查的調查範圍。
7. 就正式調查提供初步調查結果，並擬備報告供平等機會委員會考慮，包括向平等機會委員會作建議。
8. 就發出執行通知，向平等機會委員會作建議。
9. 審閱有關遵守執行通知的報告，並向平等機會委員會就不遵守執行通知的事作建議，看是否需要作正式調查。
10. 決定對《性別歧視條例》第 81 條所指的持續的歧視或性騷擾、《殘疾歧視條例》第 77 條所指的持續的歧視、騷擾或中傷及《家庭崗位歧視條例》第 59 條所指的持續的歧視採取何種行動。
11. 分別根據《性別歧視條例》第 82 條、《殘疾歧視條例》第 78 條及《家庭崗位歧視條例》第 60 條，決定對違反《性別歧視條例》第 43、44 或 45 條、《殘疾歧視條例》第 42、43、44 或 45 條及《家庭崗位歧視條例》第 31、32 及 33 條的作為提出何種法律程序。
12. 分別根據《性別歧視條例》第 66 條、《殘疾歧視條例》第 63 條及《家庭崗位歧視條例》第 45 條，檢討《性別歧視條例》附表 3 和附表 5、《殘疾歧視條例》附表 2、3 和 5 及《家庭崗位歧視條例》附表 2，有需要時，向平等機會委員會提交修訂附表的建議。
13. 分別根據《性別歧視條例》第 64(1)(e)條、《殘疾歧視條例》第 62(1)(e)條及《家庭崗位歧視條例》第 44(1)(d)條，檢討《性別歧視條例》、《殘疾歧視條例》及《家庭崗位歧視條例》的施行情況，有需要時，向平等機會委員會提交修訂條例的建議。

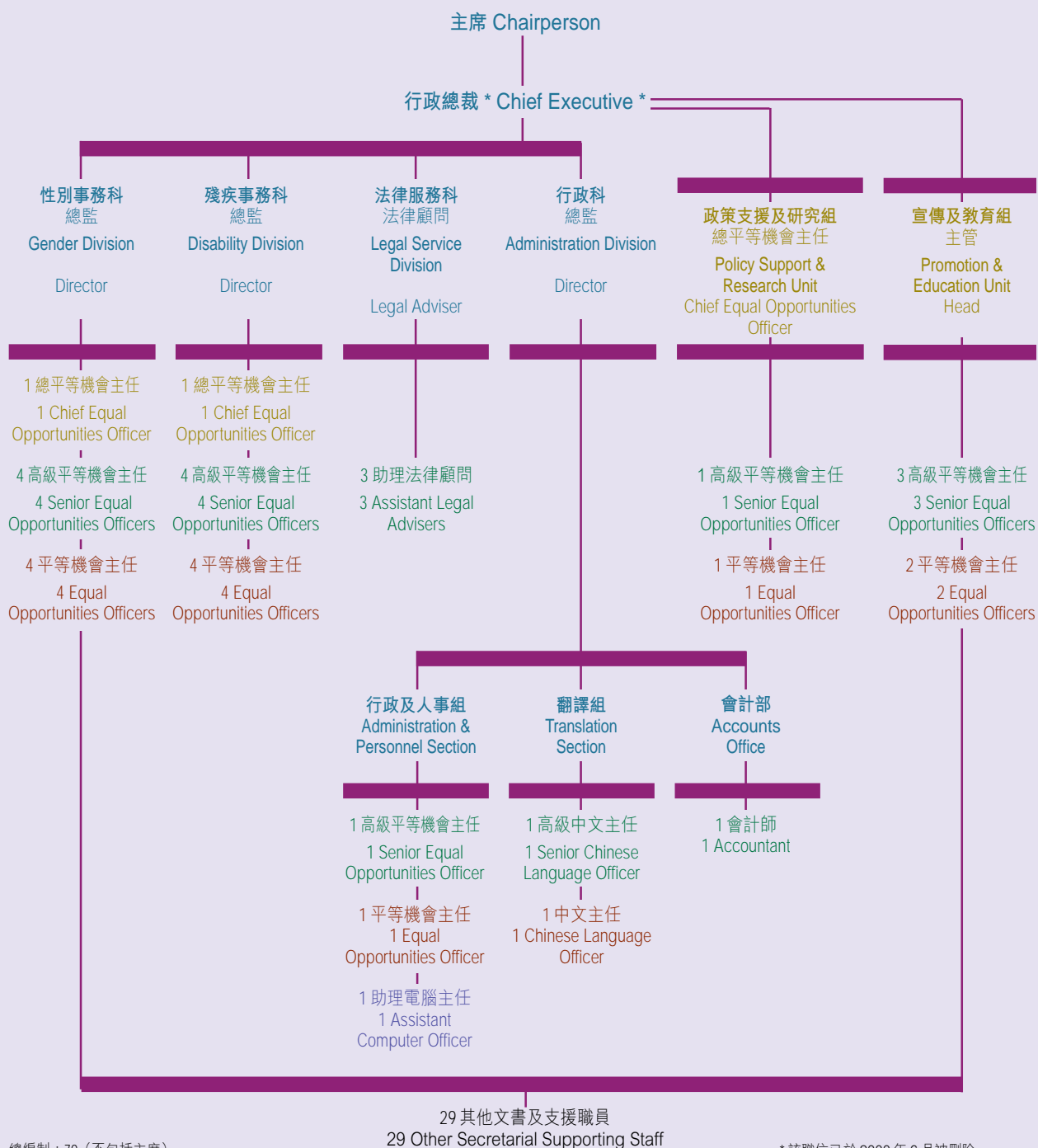
### Terms of Reference

1. To recommend to the EOC rules to be made under section 88 of SDO, section 85 of DDO and section 66 of FSDO.
2. To receive reports on the assistance by way of conciliation provided by conciliators to persons lodging complaints in writing with the EOC pursuant to section 84 of SDO, section 80 of DDO and section 62 of the FSDO and to keep the EOC informed accordingly.
3. To receive reports on the decisions made by the Chairperson, pursuant to section 84(4) of SDO, section 80(4) of DDO and section 62(4) of the FSDO, not to conduct or to discontinue an investigation into an act the subject of a complaint and to keep the EOC informed accordingly.
4. To receive reports from conciliators in respect of cases where there has not been a settlement of the matter to which an act the subject of a complaint lodged pursuant to section 84 of SDO, section 80 of DDO and section 62 of the FSDO relates.
5. To consider applications made under section 85 of SDO, section 81 of DDO and section 63 of the FSDO for assistance other than by way of conciliation and to grant such applications it thinks fit.
6. To advise the EOC on terms of reference to conduct a formal investigation.
7. To make preliminary findings in a formal investigation and prepare a report of such for the consideration of the EOC, including making recommendations to the EOC.
8. To make recommendations to the EOC in respect of the issue of enforcement notices.
9. To receive reports on compliance with enforcement notices and recommend to the EOC whether a formal investigation should be conducted in the event of non-compliance.
10. To decide on actions to be taken in respect of persistent discrimination or sexual harassment under section 81 of SDO, in respect of persistent discrimination, harassment or vilification under section 77 of DDO and in respect of persistent discrimination under section 59 of FSDO.
11. To decide on the proceedings to be brought in respect of a contravention of sections 43, 44 or 45 of SDO, sections 42, 43, 44 or 45 of DDO and sections 31, 32 and 33 of FSDO, pursuant to section 82 of SDO, section 78 of DDO and section 60 of FSDO respectively.
12. To keep under review Schedules 3 and 5 of SDO, Schedules 2, 3 and 5 of DDO and Schedule 2 of FSDO and when necessary, recommend to the EOC proposals for amending the schedules, in accordance with section 66 of SDO, section 63 of DDO and section 45 of FSDO respectively.
13. To keep under review the working of SDO, DDO and FSDO and when necessary, recommend to the EOC proposals for amending the Ordinances in accordance with section 64(1)(e) of SDO, section 62(1)(e) of DDO and section 44(1)(d) of FSDO.



平等機會委員會目前的組織架構及編制（於 1999 年 11 月重組架構起生效）

Organizational Structure and Establishment of the Equal Opportunities Commission (since November 1999 after restructuring)



總編制：70（不包括主席）  
Total establishments：70 (excluding Chairperson)

\* 該職位已於 2000 年 6 月被刪除  
\* Post subsequently deleted in June 2000



## Appendix 4

平等機會委員會辦事處管理小組（截至 2000 年 3 月 31 日）  
Management Team of the Equal Opportunities Commission as at 31.3.2000

## 主席

胡紅玉

## Chairperson

WU Hung-yuk, Anna

## 總監（殘疾事務科）

唐建生

## Director (Disability)

TONG Kin-sang, Frederick

## 總監（性別事務科）

秦家德博士

## Director (Gender)

Dr. CHUNG Ka-tak, Priscilla

## 法律顧問

彭佩蘭

## Legal Adviser

Alexandra PAPADOPOULOS

## 總監（行政事務）

陳奕民

## Director (Administration)

CHAN Yick-man, Michael

## 根據法例給予申請人的法律協助 Assistance Granted Under the Legislation

根據《性別歧視條例》第 85 條、《殘疾歧視條例》第 81 條和《家庭崗位歧視條例》第 63 條，凡曾經向委員會作出書面投訴，而且需要進行調查及調解的投訴個案，如調解失敗，委員會有權給予申請人不同形式的協助。1999/2000 年度委員會共接到 20 宗法律協助申請，並給予其中九宗法律協助。協助形式包括由委員會律師給予法律意見，以至由委員會律師及/或由委員會聘請的私人執業律師在法律訴訟中擔任申請人的法律代表。要求委員會提供協助和獲給予協助的個案統計數字如下：

The Equal Opportunities Commission has powers under section 85 of the Sex Discrimination Ordinance, section 81 of the Disability Ordinance and section 63 of the Family Status Discrimination Ordinance to grant various forms of assistance to applicants who have lodged complaints in writing with the Commission for the purpose of investigation and conciliation, where conciliation has not been successful. During 1999/2000, the Commission received 20 applications for assistance and granted assistance in nine of them. The assistance has varied from the giving of legal advice by the Commission's lawyers to legal representation in legal proceedings by the Commission's lawyers and barristers briefed by the Commission. The statistics of assistance sought and granted appear below:

個案類別 Type of Case	獲給予法律協助 Assistance Granted	不獲給予法律協助 Assistance Not Granted	考慮中 Under Consideration
殘疾歧視或騷擾（僱傭範疇） Disability Discrimination or Harassment (Employment)	4	3	0
殘疾歧視或騷擾 （其他範疇，如貨品及服務的提供） Disability Discrimination or Harassment (Other Fields e.g. Provision of Goods and Services)	2	4	1
性別歧視或騷擾（僱傭範疇） Sex Discrimination or Harassment (Employment)	2	0	1
性別歧視或騷擾 （其他範疇，如貨品及服務的提供） Sex Discrimination or Harassment (Other Fields, e.g. Provision of Goods and Services)	0	1	0
婚姻狀況歧視（貨品及服務的提供） Marital Status Discrimination (Provision of Goods and Services)	1	1	0
總數 Total	9	9	2

## Appendix 6

### 委員會協助的法庭訴訟 EOC Assisted Court Proceedings

在 1999/2000 年度，區域法院聆訊了三宗由委員會根據《殘疾歧視條例》第 81 條給予法律協助的個案。這些個案的詳情列於下表。區域法院安排三宗個案合併聆訊，並於 2000 年 9 月 28 日就三宗個案作出判決，三名原告人獲共超過二百八十萬港元的賠償。

In 1999/2000, the District Court heard three cases in which the Commission had granted legal assistance under section 81 of the Disability Discrimination Ordinance. Details of these cases appear in the table below. All three cases were consolidated into one hearing. The District Court gave judgment on the cases on 28 September 2000 awarding the three plaintiffs a total of more than HK\$2.8 million in damages.

違法行為 Unlawful Act	法庭判決 Judgment
因家人有精神病病歷而在招聘救護員過程中受到殘疾歧視 Disability discrimination in recruitment of ambulance man on ground of family history of mental illness	原告人獲賠償 985,143 港元 Damages awarded to the plaintiff in the sum of HK\$985,143.
因家人有精神病病歷而在招聘消防員過程中受到殘疾歧視 Disability discrimination in recruitment of fireman on ground of family history of mental illness	原告人獲賠償 775,742 港元 Damages awarded to the plaintiff in the sum of HK\$775,742.
因家人有精神病病歷而在招聘海關關員過程中受到殘疾歧視 Disability discrimination in recruitment of customs officer on ground of family history of mental illness	原告人獲賠償 1,061,134 港元 Damages awarded to the plaintiff in the sum of HK\$1,061,134.

委員會律師於 1999/2000 年度為以下個案進行了審前法律程序：

Lawyers of the Commission commenced legal proceedings in the following cases in 1999/2000:-

違法行為 Unlawful Act	情況 Status
被武術教練性騷擾 Sexual Harassment by martial arts teacher	已排期於 2000 年 11 月 20 日審訊 Trial scheduled for 20 November 2000
懷孕歧視 - 在通知僱主懷孕後，被要求辭職或接受降職 Discrimination on ground of pregnancy - asked to resign or accept demotion after giving notice of pregnancy	已排期於 2000 年 11 月 20 日審訊 Trial scheduled for 20 November 2000
因家人有精神病病歷而在警方招聘督察過程中受到殘疾歧視 Disability discrimination in recruitment of police inspector on ground of family history of mental illness	已於 2000 年 2 月展開法律程序 Writ issued in February 2000

於 1999/2000 年度經委員會律師與答辯人協商後獲解決的個案：

The following cases were settled after negotiation conducted by lawyers of the Commission in 1999/2000:-

違法行為 Unlawful Act	和解條件 Settlement Terms
懷孕歧視 - 在放完產假後接到解僱通知 Discrimination on ground of pregnancy - given notice of dismissal after maternity leave	賠償金錢和發出推薦信 Money paid and reference letter issued.
婚姻狀況歧視 - 被拒從自置居所貸款名冊上刪除名字 Discrimination on ground of marital status - refusal to delete names from Home Purchase Loan System (HPLS) Register	房委會同意從自置居所貸款名冊上刪除投訴人的名字 Housing Authority agreed to delete names from HPLS register.

在 1999/2000 年度委員會律師並為另八宗個案作出協商或為受助人準備提出訴訟。

There are eight other cases in which lawyers of the Commission have been conducting negotiations or preparing for litigation on behalf of assisted persons in 1999/2000.